

UNITED STATES DISTRICT COURT
DISTRICT OF RHODE ISLAND

JASON A. RICHER,
Plaintiff,

v.

C.A. No. 15-162-M

JASON PARMELEE, as the Finance
Director of THE TOWN OF NORTH
SMITHFIELD, et al,
Defendants.

**DEFENDANTS' MEMORANDUM OF LAW IN SUPPORT
OF THE MOTION FOR LEAVE TO FILE A SUR-REPLY**

Defendants respectfully request permission to file an extremely brief sur-reply. Although Defendants acknowledge that this matter has been thoroughly briefed by the parties, and the Court has graciously previously granted Defendants leave to file, Defendants believe that a brief sur-reply is necessary to address Plaintiff's citation to Brownsburg Community School Corp. v. Natare Corp., 808 N.E. 2d 148 (Ind. Ct. App. 2004). See Plaintiff's Supplemental Reply at 5; Docket #34. Brownsburg has been reversed by the Indiana Supreme Court. See Brownsburg Community School Corp. v. Natare Corp., 824 N.E.2d 336 (Ind. 2005).

Defendants,
By their attorneys,

/s/ Patrick K. Cunningham

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CERTIFICATION OF SERVICE

I hereby certify that the within document has been electronically filed with the Court on this 22nd day of February, 2016, and is available for viewing and downloading from the ECF system.

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/s/ Patrick K. Cunningham

Patrick K. Cunningham